

GUIDE TO LEASING DEP LAND



Catskills FarmLink

www.catskillsfarmlink.org



Environmental
Protection

Watershed Agricultural Council

www.nycwatershed.org



DEP allows agricultural uses of City-owned watershed lands when these uses are compatible with water quality protection.

Agricultural uses include tapping maple trees for sap, harvesting hay, and harvesting row crops such as corn, and pasturing livestock. Although much of this land represents former agricultural land that was abandoned, some good “bottom land” has been acquired by the City and these properties can be made available to interested parties who either contact DEP directly or respond to a DEP-issued Request for Proposals (typically issued once per year in the winter or spring).

To determine eligible agricultural properties, DEP staff visit the site and then issue a Request for Proposals through a competitive public bidding process. Interested farmers then submit a proposal that describes how the land will be used for agriculture in a manner that protects water quality. DEP does set minimum requirements such as twenty-five feet buffers along all streams and wetlands, and DEP also encourages the use of agricultural Best Management Practices (BMPs) such as contour tilling, no till methods, the use of cover crops, and use of organic farming methods. Several farmers using City land are certified organic operations.

To learn more about leasing DEP land for agriculture and forestry, review the FAQs on the following page and visit:

http://www.nyc.gov/html/dep/html/watershed_protection/agriculture_and_forestry.shtml

Catskills FarmLink is a collaborative effort of:
[The Center for Agricultural Development & Entrepreneurship](#); Cornell Cooperative Extension of [Delaware](#), [Schoharie](#) and [Sullivan](#) Counties; [Delaware Highlands Conservancy](#); [Farm Catskills](#); [Farmhearts](#); [NYC Department of Environmental Protection](#); and the [Watershed Agricultural Council](#).

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Interested in gaining access to New York City land for agricultural activities?

What should I do if I am interested in using City property for agricultural use?

Contact Charles Laing, DEP Senior Property Manager at 845-340-7218. The more information you can supply, the quicker the request can be reviewed. You may want to have information ready such as the town, parcel Section/Block/Lot numbers, previous owner, and road location.

What does DEP consider before allowing agricultural use on City property?

DEP will verify that agricultural use is consistent with other uses that may be occurring on the property, such as hunting, Land Use Permits or any deed or other restrictions on the property.

What are some of the standard requirements of the Agricultural Use Policy?

Farmers can tell DEP how they would manage the land to best achieve both their goals and protect water quality. DEP will consider such uses as row crops and livestock, in addition to hay. Fertilizers and manure may be applied if the results of a soil test confirm the need for nutrients. There must be at least 25 feet of undisturbed riparian buffers along all streams and wetlands. The use of limited pesticides and herbicides, outside of riparian buffer areas, will be considered with an integrated pest management approach.

Are there any other special requirements?

Farmers must:

- Maintain the required Workers Compensation and Disability Benefits Coverage (or provide proof they are not required to carry coverage)
- Furnish and maintain a commercial general liability insurance policy
- Demonstrate experience in farming and agricultural activities

How long is the term of the project?

Projects will be set-up for five-year periods and in certain cases, may be extended for another five years.

What is the next step?

If the property is determined to be compatible for agricultural use, a Notice of Project Availability will be posted in a local newspaper. This announcement will also be provided to a list of interested parties and to the Watershed Agricultural Council (WAC). If you are interested in getting on this list, send your name and address to Charles Laing at NYC DEP, 71 Smith Ave., Kingston, NY 12401. Interested farmers will submit a proposal that includes a land use plan, map, and payment proposal.

How much does it cost to use New York City land for agricultural purposes?

In 2009, annual rental payments ranged from \$5 to \$1,000/year depending on project size, land quality, and the agricultural uses proposed. Since it is an open competitive process, farmers are encouraged to submit their highest and best offer as part of the proposal.

How will DEP choose a proposal?

DEP will consider the protection of water quality as a primary factor and will give consideration to the following:

- Thoroughness and quality of overall land use plan including water quality - 60%
- Protection of Riparian Areas (such as width, amount of disturbance, best management practices to protect riparian areas) – 20%
- Payment amount – 20%

I have a Whole Farm Plan (WFP) on my property and other properties I rent. Can I use it on this project?

Generally, yes – as long as the plan explains and addresses the proposed activities and water quality protection.